DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*
Department of City Planning

May 13, 2016

POSITIVE DECLARATION

Project Identification
Bay Street Corridor Rezoning and Related Actions
CEQR No. 16DCP156R
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3323

Name, Description and Location of Proposal:

Bay Street Corridor Rezoning and Related Actions
The New York City Department of City Planning (DCP), together with New York City Economic Development Corporation (EDC), Department of Health and Mental Hygiene (DOHMH), Department of Sanitation (DSNY), Department of Transportation (DOT), and the Department of Citywide Administrative Services (DCAS) is proposing a series of land use actions (collectively the "Proposed Actions") to implement recommendations of a neighborhood planning effort, the Bay Street Corridor @ Downtown Staten Island Neighborhood Planning Initiative (the "Plan").

The directly Affected Area is approximately 45 acres and consists of five parts: 1) a contiguous 14-block area on Bay Street, generally bounded by Victory Boulevard to the north; Van Duzer Street to the west, Staten Island Railroad (SIR) tracks to the east; and Wave Street to the south; 2) a 2-block area on Canal Street bounded by part of Canal Street and Tappen Park to the north; Wright Street to the east; Broad Street to the south; and to a depth of approximately 100 feet of Canal Street to the west; and 3) three city-owned properties located at, 55 Stuyvesant Place, 539 Jersey Street/100 Brook Street and 54 Central Avenue; 4) two additional City-owned properties located at the Homeport Site within the Special Stapleton Waterfront District (SSWD); and 5) the Victory Boulevard Extension on parts of Block 6, Lots 14, 18 and 20.

The Proposed Actions include Zoning Map and Text Amendments sought by DCP, the disposition of three City-owned properties sought by EDC, DOHMH, DSNY, DOT, and DCAS; and a City Map Amendment sought by EDC. Each of these actions is described below.

1. Zoning Map Amendments to:

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- Extend the existing SSWD boundary to include the Bay Street Corridor as a Subarea; and
- Within the proposed Bay Street Corridor Subarea, rezone the existing M1-1 zoning district to R6 and R6B zoning districts. The proposed rezoning would also establish new C2-3 and C2-4 commercial overlay districts; and
- Outside the SSWD, along the Canal Street Corridor, rezone the existing R3-2/C2-2 and R4/C2-2 zoning districts to R6B/C2-3 zoning districts.

2. Zoning Text Amendments to Section 116-00 (Special Stapleton Waterfront District) to:
   - Create a new Subarea within the Special Stapleton Waterfront District comprised of the Bay Street Corridor Study Area. Text amendments will modify the underlying use, bulk, and parking regulations for this Subarea;
   - Within the Stapleton Waterfront Subarea A and B1, modify the existing height controls, including modifying the maximum height of buildings from 55' to 125'.

3. Zoning Text Amendments to Appendix F (Inclusionary Housing) to designate the Bay Street Corridor and Canal Street Corridor areas, subject to a Zoning Map Amendment as described above, as Mandatory Inclusionary Housing Areas (MIHAs).

4. Disposition of City-owned property to EDC and then to a private entity for development through 384(b)(4) approval of the following sites:
   - Disposition Site 1: Block 9, Lot 9 (55 Stuyvesant Place, DOHMH)
   - Disposition Site 2: Block 34, Lot 1 (539 Jersey Street/100 Brook Street, DSNY); and
   - Disposition Site 3: Block 6, Lot 20 (54 Central Avenue, DOT).

5. A City Map Amendment to de-map unimproved portions of the Victory Boulevard Extension on parts of Block 6, Lots 14, 18 and 20, in order to facilitate development at Disposition Site 3, 54 Central Avenue.

The Proposed Actions are anticipated to facilitate new residential, commercial and community facility development on 30 projected development sites by a build year of 2030. On these sites, the Proposed Actions are expected to result in a net increase of 2,032 dwelling units (including 1,039 affordable units); a net increase of 163,519 square feet (sf) of retail, office and restaurant space, and 48,595 sf of community facility space; and a net decrease of 172,116 sf of storage and industrial space. New development could also occur on 30 potential development sites; these sites are considered less likely to be developed by the analysis year.

The Proposed Actions reflect DCP's on-going engagement with Staten Island Community Board 1, local elected officials and community residents and stakeholders to achieve the flowing land use objectives: (a) create a vibrant, resilient downtown environment providing stronger connections to New York Harbor and surrounding neighborhoods; (b) to facilitate construction of new housing, including affordable housing, for the broad spectrum of North Shore needs; (c) to support new and existing businesses by creating new jobs supporting a pedestrian-friendly thriving retail/business corridor between St. George and Stapleton; and (d) to align investment in infrastructure, public open spaces, and services to support current demands and future growth.

Statement of Significant Effect:
On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts related to land use, zoning and public policy.

2. The actions, as proposed, may result in significant adverse impacts related to socioeconomic conditions.

3. The actions, as proposed, may result in significant adverse impacts related to community facilities.

4. The actions, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.

5. The actions, as proposed, may result in significant adverse shadow impacts.

6. The actions, as proposed, may result in significant adverse impacts related to historic and cultural resources.

7. The actions, as proposed, may result in significant adverse impacts related to urban design and visual resources.

8. The actions, as proposed, may result in significant adverse impacts related to hazardous materials.

9. The actions, as proposed, may result in significant adverse impacts related to water and sewer infrastructure.

10. The actions, as proposed, may result in significant adverse impacts related to solid waste and sanitation services.

11. The actions, as proposed, may result in significant adverse impacts related to energy.

12. The action, as proposed, may result in significant adverse impacts related to transportation.

13. The action, as proposed, may result in significant adverse impacts to air quality.

14. The action, as proposed, may result in significant adverse impacts to greenhouse gas emissions.

15. The action, as proposed, may result in significant adverse noise impacts.

16. The action, as proposed, may result in significant adverse public health impacts.

17. The action, as proposed, may result in significant adverse impacts related to neighborhood character.

18. The action, as proposed, may result in significant adverse construction-related impacts.

Supporting Statement:
The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. Land Use, Zoning and Public Policy – The Proposed Actions would alter existing land uses and zoning by allowing greater densities than the current zoning permits. In addition, portions of the affected area, the Bay Street Corridor and the SSWD, are subject to the public policy requirements of the NYC Waterfront Revitalization Program.

2. Socioeconomic Conditions – The Proposed Actions have no potential to result significant adverse impacts due to direct residential displacement as it would not exceed the analysis threshold of 500 displaced residents. The Proposed Actions would introduce approximately 2,030 dwelling units and 160,000 square feet of new retail uses, potentially altering demographic patterns and conditions in the local real estate market, resulting in potential for indirect residential displacement, direct and indirect business displacement, and adverse effects on specific industries.

3. Community Facilities – The Proposed Actions would not result in the direct displacement of any existing community facilities or services. However, the Proposed Actions would result in a substantial increase of residential units and, therefore would have the potential to result in significant adverse impacts related to public schools, libraries, and child care.

4. Open Space – The Proposed Actions would not have a direct effect on any open space resource. However, it may have an indirect effect due to increased demand for use of publicly accessible open space by the new residents and employees introduced to the area by the Proposed Actions.

5. Shadows –In the Bay Street Corridor, Canal Street Corridor, Special Stapleton Waterfront District, the Proposed Actions would allow an increase in development density and greater building heights than are currently permitted under zoning. Shadows cast by new buildings that could be developed as the result in these locations could affect publicly accessible open spaces and sunlight-sensitive architectural resources in the area.

6. Historic and Cultural Resources – The Proposed Actions may affect designated historic landmarks and/or buildings that may be eligible for designation. In addition, the Proposed Actions may result in additional in-ground disturbance and therefore have the potential to affect archaeological resources, as the Project Area is within an Area of Archaeological Sensitivity as defined by the New York State Office of Parks, Recreation and Historic Preservation (SHPO) and the NYC Landmarks Preservation Commission (LPC).

7. Urban Design and Visual Resources – In the Bay Street Corridor, Canal Street Corridor, and Special Stapleton Waterfront District affected areas, the Proposed Actions would result in physical changes beyond the bulk and form currently permitted as-of-right. Therefore, these changes could affect a pedestrian's experience of public space and may alter the urban design character and visual resources of the surrounding areas.

8. Natural Resources – The Proposed Actions have the potential to affect natural resources such as the city's plants, wildlife, organisms or habitats. Within the Bay Street Corridor, Canal Street Corridor, Stapleton Phase III, and Disposition Sites, there is the potential for natural communities as well as endangered or threatened species; therefore, the Proposed Actions have the potential to affect natural resources.

9. Hazardous Materials – Within the affected area of the Bay Street Corridor, the Canal Street Corridor and two Disposition Sites (2: 100 Brook Avenue and 3: 54 Central Avenue), the Proposed Actions would result in additional in-ground disturbance, which has a documented history of hazardous materials conditions, and has the potential to result in hazardous materials impacts.

10. Water and Sewer Infrastructure – Within the affected areas of the Bay Street Corridor, Canal Street Corridor, and the three Disposition Sites, the Proposed Actions would result in increased demand for infrastructure services. This could place additional demands on water, wastewater treatment services and stormwater management.

11. Solid Waste and Sanitation – Due to the increase in density within the affected area of the Bay Street Corridor, Canal Street Corridor, and the three Disposition Sites, the Proposed Actions could increase the demands on solid waste and sanitation transport and disposal services.

12. Energy – The Proposed Actions would result in an incremental increase in annual energy consumption of approximately 333,000 million BTUs over the No-Action condition.

13. Transportation – The Proposed Actions would result in an increase in the number of vehicular trips and an increase in ridership on local bus routes and the SIR. The Proposed Actions also would affect pedestrian movements in the area due to the increased number of residents and employees introduced to the area.

14. Air Quality – As a result of the Proposed Actions, the affected areas of the Bay Street Corridor, Canal Street Corridor, Stapleton Phase III and Disposition Sites could have the potential to result in mobile, industrial source and stationary source air quality impacts.

15. Greenhouse Gas Emissions – The Proposed Actions would result in development that exceeds the CEQR Technical Manual threshold for analysis of 350,000 sf, and may affect greenhouse gas emissions due to increased construction and operational activities with the projected development.

16. Noise – As a result of the Proposed Actions, the affected areas of the Bay Street Corridor, Canal Street Corridor, Special Stapleton Waterfront District and Disposition Sites may have the potential to result in mobile and stationary source noise impacts.

17. Public Health – The Proposed Actions could result in effects related to air quality, hazardous materials or noise, and could potentially result in public health concerns.

18. Neighborhood Character – The Proposed Actions could affect certain elements of the neighborhood character of the affected areas, including socioeconomic conditions, urban design and visual resources, historic and cultural resources, transportation and noise; consequently, neighborhood character of the affected areas may be affected.

19. Construction – Potential significant adverse impacts related to architectural resources and transportation, air quality, noise, hazardous materials and natural resources could also result in construction impacts.

20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment.

Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Wednesday, June 15, 2016 at 6:00 PM at Trinity Lutheran, 309 St. Pauls Avenue, Staten Island, New York 10304. Written comments will be accepted by the lead agency through Monday, June 27, 2016.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Yasmine Robinson, at (212) 720-3321.

Robert Dobruskin

Robert Dobruskin, AICP, Director
Environmental Assessment & Review Division
New York City Department of City Planning

5/13/16

Date